



Report to: Development Services Committee

Report Date: March 19, 2013

SUBJECT: RECOMMENDATION REPORT
Briarwood Homes (Markham) Ltd
Applications to amend the Secondary Plan and Zoning By-law and for Site Plan Approval to permit a townhouse development at 2 Havelock Gate.

File Nos: OP 09 113033, ZA 09 113040 & SC 09 113042

PREPARED BY: Stacia Muradali, M.C.I.P., R.P.P. Ext. 2008
Senior Planner, East District

REVIEWED BY: Stephen Kitagawa, M.C.I.P., R.P.P. Ext. 2531
Acting Manager, East District

RECOMMENDATION:

- 1) That the report dated March 19, 2013 titled “RECOMMENDATION REPORT, Briarwood Homes (Markham) Ltd., Applications to amend the Secondary Plan and Zoning By-law and for Site Plan Approval to permit a townhouse development at 2 Havelock Gate, File Nos: OP 09 113033, ZA 09 113040 & SC 113042”, be received;
- 2) That the record of the Public Meetings held on September 8th, 2009 and February 1st, 2011 regarding the applications to amend the Rouge North Secondary Plan (OP 09 113033) and to amend Zoning By-law 90-81, as amended (ZA 09 113040), submitted by Briarwood Homes (Markham) Ltd, be received;
- 3) That the application (OP 09 113033) submitted by Briarwood Homes (Markham) Ltd. to amend the Rouge North Secondary Plan (OPA 81), as amended, to permit a townhouse development at 2 Havelock Gate, be approved, and the draft Secondary Plan amendment attached as Appendix ‘C’ be finalized and adopted without further notice;
- 4) That the application (ZA 09 113040) submitted by Briarwood Homes (Markham) Ltd. to amend Zoning By-law 90-81, as amended, to permit a townhouse development at 2 Havelock Gate, be approved, and the draft Zoning By-law amendment attached as Appendix ‘D’ be finalized and enacted without further notice;
- 5) That the Site Plan application (SC 09 113042) submitted by Briarwood Homes (Markham) Ltd. to facilitate a townhouse development at 2 Havelock Gate be endorsed in principle, subject to conditions attached as Appendix ‘A’;

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- 6) That Site Plan Approval (SC 09 113042) be delegated to the Director of Planning and Urban Design or his designate, to be issued following execution of a site plan agreement;
 - 7) That 2015 servicing allocation for 25 townhouses be assigned to the proposed development;
 - 8) That the City reserves the right to revoke or reallocate the servicing allocation should development not proceed in a timely manner;
 - 9) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

Not applicable.

PURPOSE:

The purpose of this report is to discuss and recommend approval of applications submitted by Briarwood Homes (Markham) Ltd. to amend the Rouge North Secondary Plan and Zoning By-law 90-81, as amended, and for site plan approval, to allow a 25 unit townhouse development at 2 Havelock Gate.

BACKGROUND:**Subject property and area context**

2 Havelock Gate (the “subject property”) is located at the south-west corner of 14th Avenue and Havelock Gate, east of Markham Road and abuts the Hydro Corridor to the south-west (Figure 1). The subject property is irregular, almost triangular in shape, and has an area of approximately 0.6 hectares (1.48 acres) containing a few trees and is currently vacant. Surrounding land uses include low density residential developments to the south and east, across Havelock Gate, the Markham Chinese Alliance Church and low density residential development to the north across 14th Avenue, and a hydro corridor located to the south- west (Figure 3).

Proposed townhouse development

Briarwood Homes (Markham) Ltd. is proposing a condominium development consisting of 25 three-storey townhouses located within four (4) townhouse blocks on the subject property (Figure 4). Two (2) townhouse blocks will be oriented along the hydro corridor with backyards with a minimum depth of 6 metres (19.6 feet). One (1) block of townhouses will back onto an existing residential lot on the south side of the subject property. The rear yards of this townhouse block range from 5.5metres to 21 metres (18 feet to 69 feet). Balconies with a minimum area of 9.29 square metres (100 square feet) which will function as amenity areas above the garages, are provided for the townhouses oriented along 14th Avenue. The proposed townhouses will range from approximately 176 to 204 square metres (1900 to 2200 square feet) with three to four bedrooms.

Two (2) parking spaces per unit, (one (1) in the garage and one (1) on the driveway), and six (6) visitor parking spaces will be provided. The proposed development will have a right-in, right-out access on 14th Avenue and a full movement access on Havelock Gate. An amenity area of approximately 38.2 square metres (411 square feet) will be located at the north-westerly portion of the site.

Previous proposals and community consultation

A neighbourhood commercial plaza was proposed on the subject property in 1996 and was given site plan approval but the project did not proceed. In May 2006, Secondary Plan and Zoning By-law amendment applications were submitted by Delpark Homes to permit a 3 ½ storey retirement facility. The 2006 applications were eventually abandoned in part due to public opposition. In April 2009 applications to amend the Rouge North Secondary Plan and Zoning By-law 90-81, as amended, were submitted to permit a 4 storey apartment building consisting of 85 apartment units. At the statutory Public Meeting held on September 8, 2009 for this apartment proposal, Development Services Committee suggested that a Working Group consisting of representatives from the Rouge Fairway Residents Association, members of the community, the local Councillor, City staff and the applicant be formed in response to residents' concerns about the proposed development. Three (3) Working Group meetings were held and as a result the proposal was revised from a 4-storey apartment building to a proposed townhouse development with a total of 29 townhouses. A Public Meeting was held on February 1st, 2011 to present the townhouse development and to receive feedback from Committee and the community.

The residents' main concerns at the 2011 Public Meeting included traffic impacts as a result of the proposed development, proposed density on the site, impact on neighbourhood schools and infrastructure, property maintenance and safety, overflow parking on adjacent residential streets, and compatibility with the existing community. Staff had concerns with the proposed site plan layout and functionality resulting from the efforts to accommodate 29 townhouses. The proponent has worked diligently to address the residents' and Staff's concerns and has further reduced the number of proposed townhouses from 29 to 25 and reconfigured the proposed site plan.

The local Councillor, City staff and the applicant met with the Working Group and the Ratepayers Association on March 5th, 2013 to review the revised townhouse proposal. Their concerns are addressed later in the Discussion section of this report. Some of the concerns expressed at that meeting include the following:

1. Traffic and pedestrian safety – The residents expressed concerns with the proposed access and additional traffic on 14th Avenue. Concerns were also expressed with the location of the proposed access on 14th Avenue which is in close proximity to the area of 14th Avenue which changes from two (2) lanes into one (1) lane east of Havelock Gate. The residents also requested a new traffic study which incorporates new development in Box Grove and Seaton, as well as provides updated accident data. The residents also requested that the

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- existing YRT bus stop on the south side of 14th Avenue be relocated to a more appropriate location on 14th Avenue.
2. Density - Concerns were raised about the gradation of densities in the Official Plan from “Low” to “Medium” density and the impact which the road widening will have on the ultimate density of the proposed development.
 3. Built form and development standards - The residents had expectations with respect to height and setbacks of the proposed townhouses as well as their design, and they felt the proposal did not fit in with the existing community.
 4. Potential overflow parking and safety with respect to vehicular conflict on Havelock Gate - The residents expressed concerns with potential overflow parking on Havelock Gate as well as conflicts between cars stopping at the community mailbox which is in close proximity to the proposed driveway on Havelock Gate.
 5. Other matters - Concerns were raised about the safety and value of the proposed amenity area at the north-west corner of the site because of its proximity to 14th Avenue, the width of the private laneway, the amount of green space in the proposed development, and the potential for noise from air conditioning units in the five (5) proposed rear yards which will abut the existing lot at 6 Havelock Gate.

Official Plan and Zoning

The subject property is designated “Urban Residential” in the Official Plan and “Local Commercial Centre” in the Rouge North Secondary Plan (OPA 81) (the “Secondary Plan”). The proposed residential development is provided for in the Official Plan, however, the Secondary Plan intended the subject property to be developed with commercial uses. An amendment to the Secondary Plan is required to provide for the proposed townhouse development.

The subject property is zoned “Local Commercial (LC)” in Zoning By-law 90-81, as amended, which permits retail, office and personal service shops. An amendment to the Zoning By-law is required to permit the proposed townhouse development.

OPTIONS/ DISCUSSION:

Re-designating the subject property to allow residential uses is appropriate

Re-designating the subject property from “Local Commercial Centre” to “Urban Residential - Mixed Medium and High Density” to allow for the proposed development is appropriate as it is compatible with surrounding uses and it is a corner lot at a regional road intersection which minimizes potential development impacts on adjacent uses. The Official Plan identifies locations for medium density housing. The proponent has demonstrated through the application review process and technical studies that the proposed medium density development located on the arterial road meets the locational criteria as it is in close proximity to commercial areas, parks, recreational and community services; does not significantly impact schools, parks, roads or hard infrastructure; and is designed to appropriately accommodate the proposed density.

There is sufficient commercial development within the vicinity along Markham Road south of 14th Avenue to serve the neighbourhood. The proposed redesignation and residential development should not negatively impact the surrounding area.

Density

The subject property is located within the Rouge North Secondary Plan (OPA 81) which has two (2) residential designations; “Urban Residential – Low Density” which provides for single family detached dwellings and “Urban Residential – Mixed Medium and High Density” which provides for other forms of housing including townhouses. The subject property is proposed to be re-designated to “Urban Residential – Mixed Medium and High Density” which allows for a maximum net site density of 85 units per hectare (34.1 units per acre). Given that the laneway is private and the proposed amenity area (tot-lot) is private and does not constitute parkland, the density is calculated over the entire site minus the lands to be conveyed to the Region for a road widening. The density of the proposed development is 48 units per hectare (19.2 units per acre) which is only slightly more than half the maximum density of 85 units per hectare (34.1 units per acre) permitted in the Secondary Plan. The Official Plan intends for a gradation of densities where feasible, in order to avoid possible conflicts between residential development of different densities. The proposed density represents adequate density gradation relative to the adjacent low density residential development and will not significantly impact the neighbourhood amenities such as parks, schools, roads, infrastructure and satisfies the criteria for residential intensification and infill development in the City’s Official Plan.

The proposed site plan and building elevations are appropriate

The proposed site plan has evolved during the review process and the Owner has been working with Staff on addressing requirements and comments. The site plan layout, building style, scale and massing of the proposed townhouse blocks are considered compatible with the existing surrounding neighbourhood.

Setbacks and development standards

The adjacent single family homes are zoned “Single Family Residential (R8) or (R9)”. These zone categories permit a minimum side yard of 1.2 metres for one (1) storey plus 0.6 metres for each additional storey, minimum rear yards of 7.5 metres, maximum lot coverage of 33 1/3% to 40%, maximum height of 10.7 metres and a variable front yard setback depending on the location of the lot.

The proposed setbacks, height and lot coverage of the proposed development are compatible with the adjacent residential neighbourhood. All of the rear yards except for one (1) which abuts 6 Havelock Gate are greater than 7.5 metres. The lot coverage of the proposed development is 34% which is in keeping with the lot coverage of the adjacent single family homes. The proposed townhomes will have a maximum height of approximately 12.8 metres (42 feet) which is 2.1 metres (6.9 feet) greater than the maximum height permitted in the adjacent low density neighbourhood. The Owner has not provided a shadow study in support of the proposed development, however, given that the proposed development site is to the north and west sides of the existing homes on Havelock Gate, and the path of the sun (to the south tracking east-west), it is unlikely that

the height of the townhouses would cause over-shadowing of existing homes with most of the shadow being cast on 14th Avenue and the private driveway.

Block A, which fronts 14th Avenue, has been pulled close to the front lot line creating a strong and well defined street edge. This reduced front yard setback coupled with modest porches also means that there is very limited opportunity for future homeowners to use these yards for the storage of barbeques or other garden paraphernalia that has the potential to adversely impact the visual attractiveness of the 14th Avenue streetscape.

Building elevations

The lot widths in the interior blocks are narrow, however, the combination of paired porches and pitched roofs over the garage doors means that the main unit entrances are the dominant feature across the front elevation of each block. The garage doors, in addition to being colour treated to blend into the masonry, are in shadow, which works to reduce their visual prominence. The garage doors for Block A are at the rear of the block with balconies projecting overtop, which again acts to reduce the visual prominence of garages along the private internal road.

The applicant and their architect have worked with Urban Design staff on the building elevations and some further refinements continue to occur that will ensure that the building frontages of each block are well articulated, use a consistent and logical material treatment, and provide good opportunities for natural surveillance, (i.e. “eyes on the street”).

Parking

There will be sufficient resident parking with each townhouse unit accommodating two (2) resident vehicles, and visitor parking will be provided to serve the proposed development at a rate of 0.25 spaces per unit, for a total of 6 visitor parking spaces. On-street parking is also available on Havelock Gate.

At the request of the residents, staff are exploring the potential of erecting no parking signs on Havelock Gate between 14th Avenue and the proposed driveway access on Havelock Gate to minimize vehicular conflicts at the intersection. Staff are also discussing the possible relocation of the community mailbox with Canada Post at the residents’ request to minimize vehicular and pedestrian conflict around the proposed access, mailbox, and parked cars on Havelock Gate.

Access

The site will be accessed by a full movement access on Havelock Gate and a right-in/right-out access on 14th Avenue which will provide sufficient access to and from the site. These accesses have been designed to the City’s and Region’s specifications to ensure that they are safe and efficient. The width of the laneway is sufficient for the safe and efficient operation of garbage trucks. The laneway is a fire route and therefore cars will not be permitted to park on the laneway. The number of driveways which intersect the laneway does not facilitate the parking of cars on the laneway and cut-through traffic is unlikely to occur through this development.

Amenity area and green space

The private amenity area which is approximately 38.2 square metres (411 feet) will be located at the north-west corner of the subject property. Given the somewhat triangular shape of the lot, if the amenity area is relocated somewhere more central, it will result in the loss of at least one (1) possibly two (2) townhouse units. City staff have been considering the most appropriate use of this private amenity area while being mindful of its location. The Urban Design Section prefers to see the private amenity space used for a tot-lot as the townhouses are of sufficient size that could accommodate families. Staff are also exploring suitable fencing treatments and landscaping for the tot-lot which could potentially minimize any safety concerns. The proposed development is comprised of approximately 58% open or green space.

Fencing

1.2 or 1.5 metre (4 or 5 feet) high decorative metal fencing with gates will be provided for the homes along the 14th Avenue frontage and to enclose the tot-lot.

Transportation

The applicant has submitted traffic impact studies and access designs to both the Region of York and the City. 14th Avenue is under the jurisdiction of the Region of York. The Region of York, upon review of the proposed development and related traffic study, did not request any road improvements on 14th Avenue or that the traffic report be revised to incorporate new development in Box Grove and the Seaton community. Transportation Engineering staff have advised that the traffic generated from the proposed development will not significantly impact the safety or traffic patterns on 14th Avenue. The proponent is responsible for the cost of extending the median on 14th Avenue to eliminate any left turn movements from the proposed access on 14th Avenue. Staff will forward the residents' concerns and recommendations for dedicated right and left turn lanes and relocation of the bus stop to the Region of York for their consideration.

Servicing allocation and sustainable initiatives

2015 servicing allocation is available for the proposed 25 townhouse units and Staff are recommending that Council assign 2015 servicing allocation for the proposed development.

The Owner has also committed to incorporating sustainable initiatives, including but not limited to the following in the proposed development (Appendix 'B'):

1. Low E windows throughout with energy star zone 8 rating
2. Heated ceiling
3. Exterior walls with fiberglass insulation
4. Exposed floors with foam insulation
5. Basement wall will be insulated
6. Air tight building design verified through blower door test
7. Effective ventilation system
8. Electrical savings through energy star rated compact fluorescent bulbs
9. Energy star appliances

- 10. Water savings through low flush toilets throughout
- 11. Drain water heat recovery system

The applications were circulated to Hydro One

The subject property abuts the Hydro Corridor and as a result, the applications were circulated to Hydro One Networks Inc (HONI). The Owner is required to satisfy their requirements prior to issuance of site plan approval including installation of a permanent 1.5 metre high chain link fence along the common property line and that no object be brought closer than 6 metres (20 feet) to the transmission lines.

Region of York requirements

14th Avenue is under the jurisdiction of the Region of York and as a result the Owner is required to satisfy all Region of York requirements prior to issuance of site plan approval. The Owner will be conveying land to the Region of York in order to provide a 21.5 metre right-of-way from the centerline of 14th Avenue. The Region of York has also agreed to a right-in/ right-out access to serve the proposed development and the Owner is required to satisfy all of the Region's technical requirements with respect to the 14th Avenue access design.

CONCLUSION

The amendments to the Rouge North Secondary Plan (OPA 81) (Appendix 'C') and Zoning By-law 90-81, as amended (Appendix 'D') are appropriate and are recommended by staff. It is also recommended that the site plan be endorsed in principle subject to the conditions identified in Appendix 'A'.

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)

Not applicable.

HUMAN RESOURCES CONSIDERATIONS:

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The proposed development aligns with the strategic priority for growth management.

BUSINESS UNITS CONSULTED AND AFFECTED:

All of the applications have been circulated to various City departments and external agencies and their requirements have been incorporated into this report.

RECOMMENDED BY:

for M. Winters
Rino Mostacci, M.C.I.P., R.P.P.
Director of Planning and Urban Design

Jim Baird
Jim Baird, M.C.I.P., R.P.P.
Commissioner of Development Services

ATTACHMENTS:

Figure 1: Location Map
Figure 2: Area Context/ Zoning
Figure 3: Air Photo
Figure 4: Proposed Site Plan
Figure 5: Proposed Building Elevations (Block A)
Figure 6: Proposed Building Elevations (Block B)
Figure 7: Proposed Building Elevations (Block C)
Figure 8: Proposed Building Elevations (Block D)
Coloured Renderings

Appendix A: Site Plan Conditions
Appendix B: Sustainable Initiatives
Appendix C: Draft Secondary Plan Amendment
Appendix D: Draft Zoning By-Law Amendment

File path: Amanda\File 09 113033\Documents\Recommendation Report

APPENDIX 'A'
SITE PLAN CONDITIONS
BRIARWOOD HOMES (MARKHAM) LTD
2 HAVELOCK GATE

That prior to site plan endorsement:

1. That the Owner satisfies any Region of York pre-endorsement conditions.

That the Owner shall enter in a Site Plan Agreement with the City, containing all standards and special provisions and requirements of the City and other external agencies, including but not limited to:

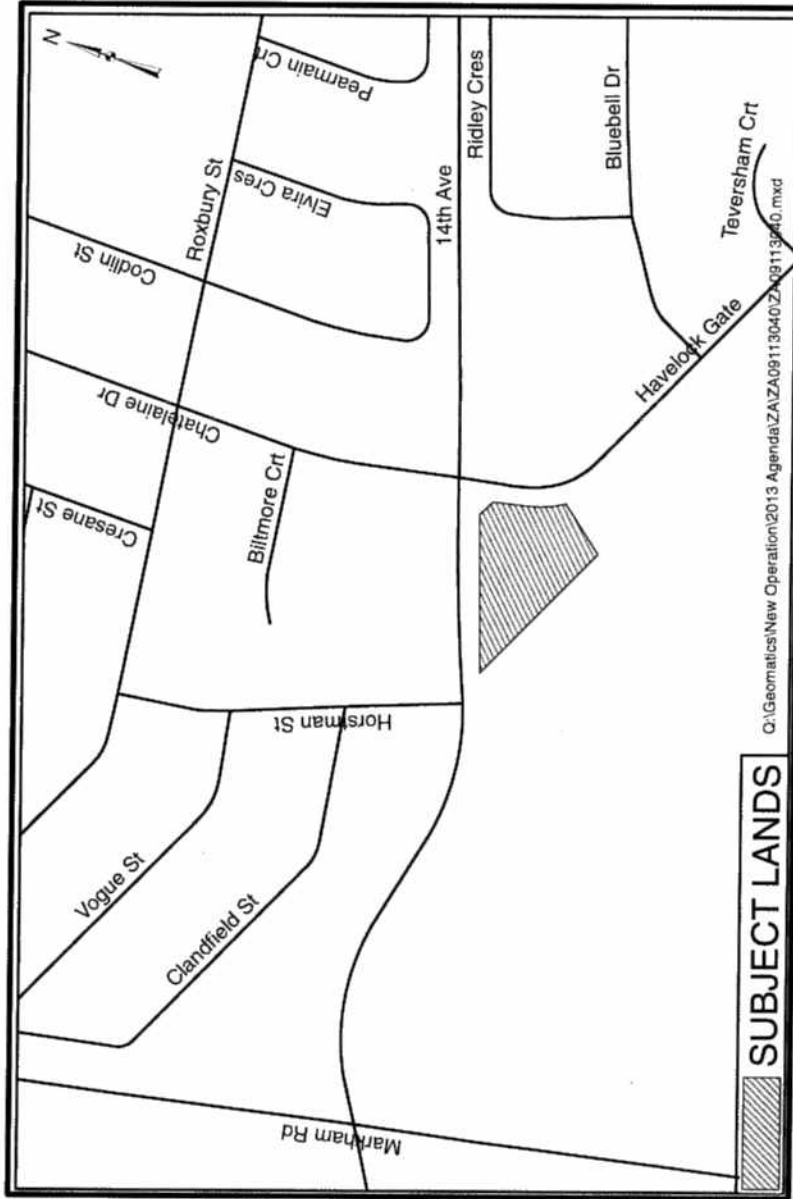
1. Provisions for the payment by the Owner of all applicable fees, recoveries, development charges, any cash-in-lieu of parkland, and any other financial obligation.
2. Implementation of the sustainable initiatives listed in Appendix 'B' and submission of a Letter of Credit to ensure that the sustainable initiatives are implemented.
3. Satisfaction of all Region of York requirements.

Prior to execution of a Site Plan Agreement:

1. The Owner shall submit final site plans, building elevations, engineering drawings, landscape plans, along with any other studies and reports which are required to comply with the requirements of the City and external agencies, to the satisfaction of the Commissioner of Development Services.
2. The Owner submit a plan showing the design of the amenity area located at the north-westerly portion of the proposed development, to the satisfaction of the Director of Planning and Urban Design.
3. That the Owner shall satisfy the Region of York regarding the conveyance of the required road widening along 14th Avenue.

Prior to issuance of site plan approval:

1. Written clearance from the Region of York be received to the satisfaction of the Commissioner of Development Services.
2. Written clearance from Hydro One Networks Inc. be received to the satisfaction of the Commissioner of Development Services.





AIR PHOTO

APPLICANT: BRIARWOOD HOMES (MARKHAM) LTD.
2 HAVELOCK GATE

FILE No. ZA.09113040 ; OP.09113033 & SC.09113042 (SM)

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DEVELOPMENT SERVICES COMMISSION

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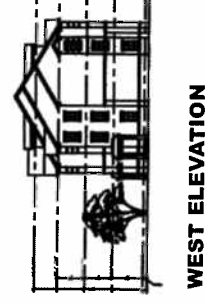
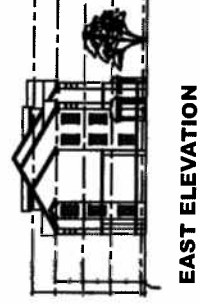
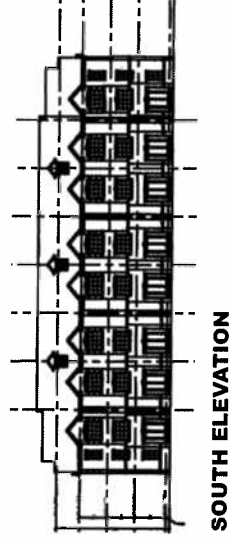
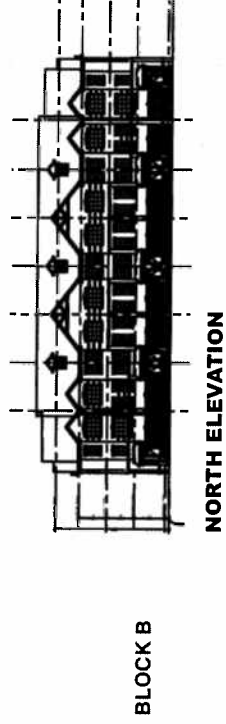
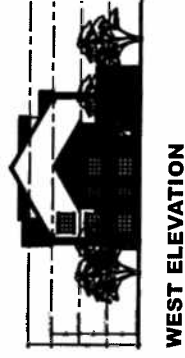
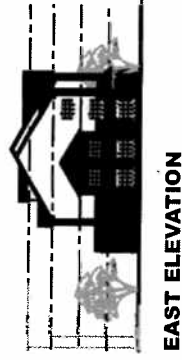
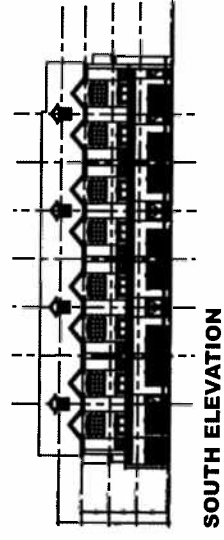
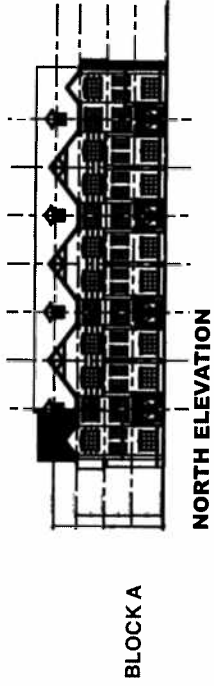
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DATE: 01/08/2013

FIGURE No. 3

 SUBJECT LANDS



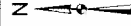


ELEVATIONS (BLOCKS, A & B)

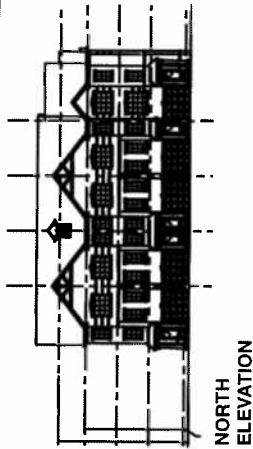
APPLICANT: BRIARWOOD HOMES (MARKHAM) LTD.
2 HAVELOCK GATE

FILE No. ZA.09113040 ; OP.09113033 & SC.09113042 (SM)

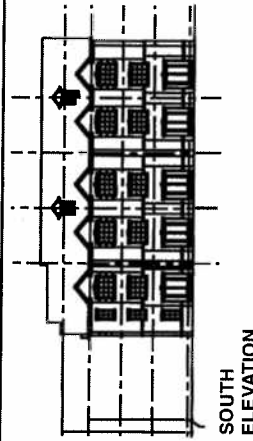
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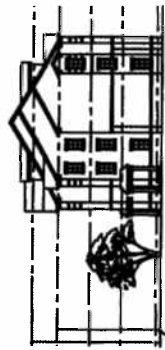
BLOCK C



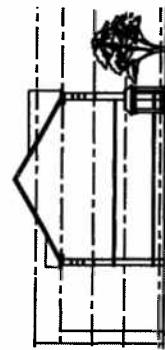
NORTH
ELEVATION



SOUTH
ELEVATION

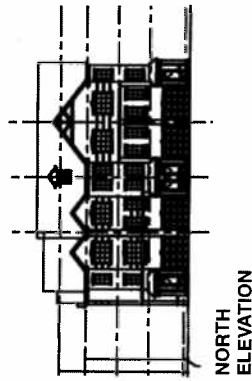


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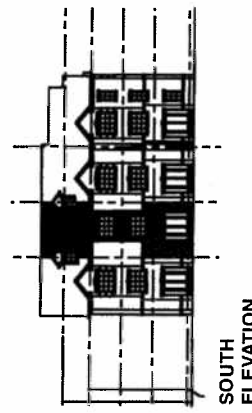


EAST
ELEVATION

BLOCK D



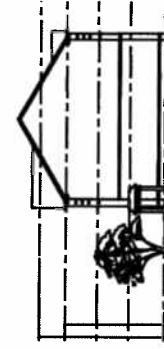
NORTH
ELEVATION



SOUTH
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WEST
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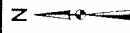
EAST
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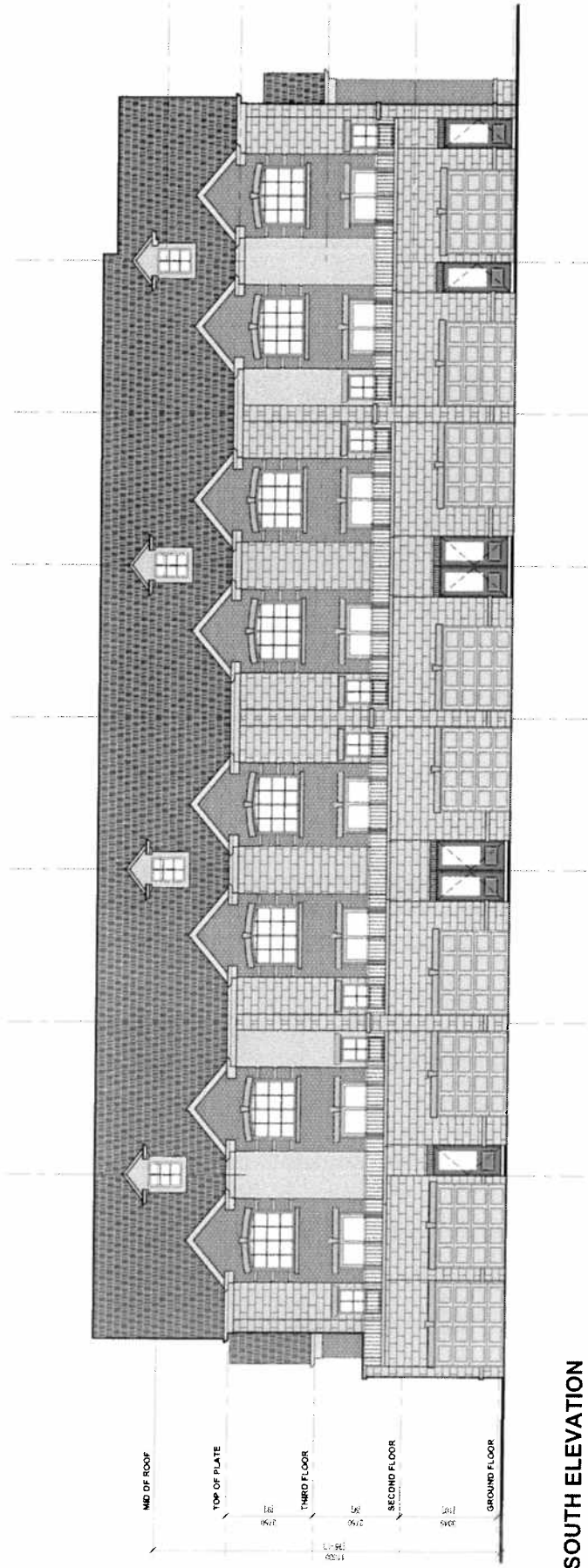
ELEVATIONS (BLOCKS, C & D)

APPLICANT: BRIARWOOD HOMES (MARKHAM) LTD.
2 HAVELOCK GATE

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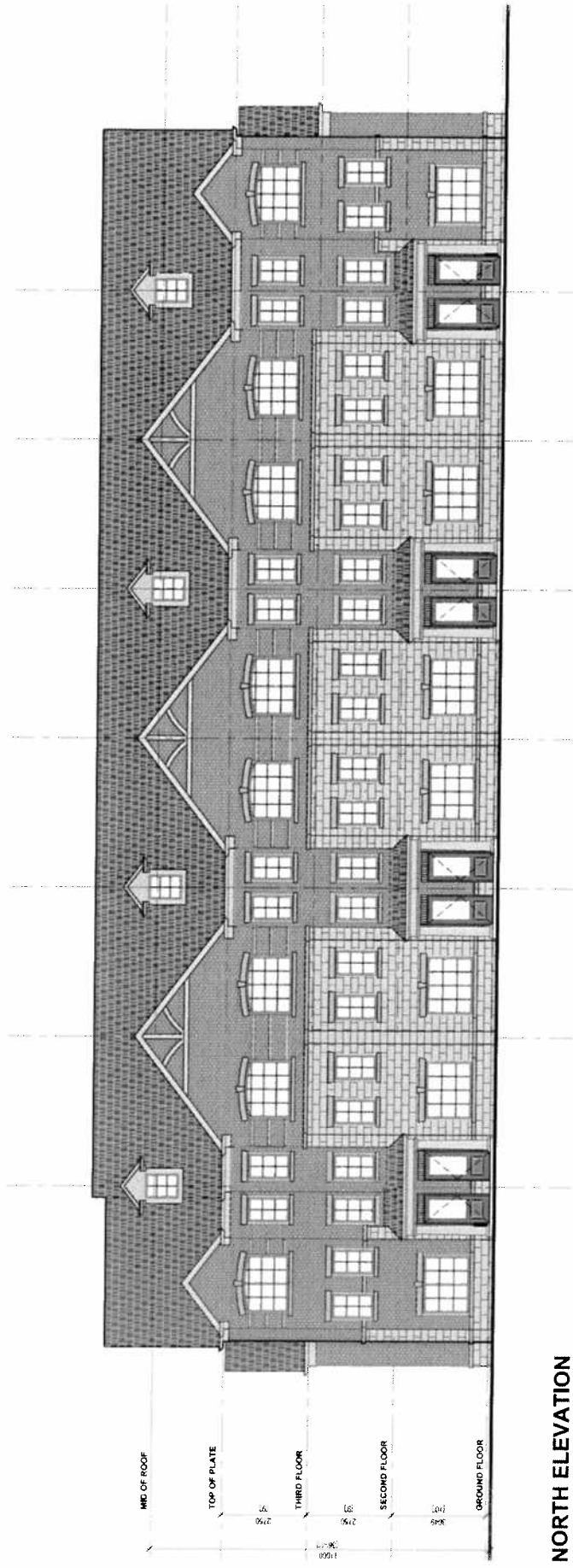
SOUTH ELEVATION

RAFAEL+BIGAUSKAS
ARCHITECTS

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Telephone (416) 398-7500 Fax No. (416) 398-8555

HAVELOCK GATE

DATE: JAN 15, 2013



NORTH ELEVATION

RAFAEL-BIGAUSKAS
ARCHITECTS

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Telephone (416) 398-7500 Fax (416) 398-9056

HAVELOCK GATE

DATE: JAN 15, 2013

Havelock Town Manors
EnerGuide 80 Technical Specifications Package

Appendix 'B'

Element	Resource Friendly			Chosen Specification
	Healthy Home	Energy Efficient	Water Efficient	
Windows, sliding glass doors and skylights	✓	✓	✓	Low E Windows Throughout (including basement) with Energy Star Zone B Rating
Heated ceiling with attic	✓	✓	✓	R-40 attic insulation
Heated ceiling without attic	✓	✓	✓	R-31 Batt Fiberglass Insulation
Exterior walls	✓	✓	✓	2X6 Exterior Stud Partition With R-22 Fiberglass insulation
Exposed floors	✓	✓	✓	R-31 foam Insulation for Exposed Floors and Critical Areas
basement walls	✓	✓	✓	R-12 Near Full Height Basement Insulation
House Air leakage	✓	✓	✓	Air Tight Building Design Verified Through Blower Door Test
Ventilation	✓	✓	✓	Effective Ventilation System 80CFM DC Motor Exhaust Fan in Ensuite
Space Heating/Cooling (if installed)	✓	✓	✓	Furnace 92.1% AFUE - AC 13 SEER
Electrical Savings	✓	✓	✓	Energy Star Rated Compact Fluorescent Bulbs (CFL) 75 %
Appliances	✓	✓	✓	Energy Star Appliances
Water Savings	✓	✓	✓	4.8 Low Flow Toilets throughout
Energy Savings	✓	✓	✓	Drainwater Heat Recovery System (power pipe)
Other	✓	✓	✓	2 showers one stack 46% DWHR